Customer No. 24498
Attorney Docket No. PF020081
Office Action Date: November 24, 2008

REMARKS

This application has been reviewed in light of the Office Action dated November 11, 2008. Claims 1-5 are pending in the application. By the present amendment, claims 1, 2, 4 and 5 have been amended for clarity. No new matter is believed to be added. The Examiner's reconsideration of the rejection in view of the amendment and the following remarks is respectfully requested.

Claim 1 stand rejected under 37 CFR 1.75(d)(1) as failing to provide proper antecedent basis for the claimed subject matter. Claim 1 has been amended in a way believed to overcome the rejection. Reconsideration of the rejection is respectfully requested.

Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claims 1, 2, 4 and 5 have been amended in a way believed to overcome the rejection. Reconsideration of the rejection is respectfully requested.

Claims 1-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2002/0039357 A1 to Lipasti et al. (hereinafter Lipasti) in view of U.S. Patent No. 7,143,433 B2 to Cromer et al. (hereinafter Cromer).

Claim 1 has been amended as to make clearer that the created new network coexists with the existing network, as it clearly appears in applicants' specification for example at page 4, lines 22-24 ("*The new access point cannot a priori advertise its new status to the already associated terminals. It is the task of another terminal, once disassociated, to search for the new access point and associate it*").

The Applicant respectfully submits that for the reasons discussed below the subject claims are patentably distinguishable over the cited combination because the suggested combination fails to disclose or suggest each and every one of the elements recited in the amended claims. Reconsideration of the rejection is earnestly solicited based at least on the following remarks.

Claim 1 of the present invention recites, a method of creation of a new communication network by a wireless terminal, wherein the wireless terminal initially being part of an existing centralized network that includes an access point able to control the association of

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wireless terminals to its network, the method includes, for the associated terminal, the steps of disassociation of the terminal from the existing centralized network; and initiation of a procedure for creating a new network, coexisting with the existing network, including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network.

Lipasti is directed to a method for arranging addressing and routing in mobile ad hoc networks. The object of Lipasti is to provide address mapping and routing function for mobile networks to minimize broadcasts in mobile ad hoc networks. The network includes access points (AP), which are defined at paragraphs 23 and 100 as fixed or mobile wireless Bluetooth devices, and mobile nodes (MN). The AP and the MN devices can form a pico network to provide access to the LAN, where the device initiating the connection becomes the master device and all other devices of the pico network are then slaves of the master device and have to join the new pico network defined by the new master device. The existing network is thus reconfigured into a new network and the existing network does not exist any more. In Lipasti, the existing network has been totally replaced by the new network, one for one. There is no disclosure or suggestion of forming a new, separate network from a completely disassociated wireless device, coexisting with the already existing network, as claimed in applicants' claim 1. Thus, Lipasti does not teach or suggest all of the features recited by the present claims, in particular the initiation of a procedure for creating a new network, coexisting with the already existing network.

Moreover, Lipasti fails to disclose or suggest disassociation of the terminal from the existing centralized network; and initiation of a procedure for creating a new network including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network. The Examiner acknowledges that Lipasti does not teach or suggest disassociation of the terminal from the existing centralized network. However, Lipasti also does not disclose or suggest the initiation of a procedure for creating a new network, coexisting with the existing network, including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network, both networks

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coexisting in parallel. Lipasti forms piconets but the operating parameters of the new network, resulting from the reconfiguration of the existing network and replacing the existing network, are not disclosed or suggested by Lipasti to be such that communications on the new network do not interfere with the existing network. The portions of Lipasti cited by the examiner do not appear to say anything in this regard.

Cromer has been cited to cure the deficiencies of Lipasti. However, Cromer also fails to disclose or suggest the elements missing in Lipasti. Cromer is directed to a method for wireless data communication between a fixed access point (AP) connected to a LAN and a remote mobile wireless unit (MU), which is out of range of direct wireless communication with the AP. While Cromer provides at col. 19, lines 18-24 for the dissociation of the MU 30 from a first AP, this is in the context where the MU is already associated with a second adjacent AP. Nowhere does Cromer disclose or suggest that a new network formed as the result of a disassociation of a terminal with an existing network and coexisting with the existing network, the terminal operating as access point with operating parameters being such that communications in the new network do not interference with communications in the existing network.

Moreover, Cromer fails to disclose or suggest disassociation of the terminal from the existing centralized network in the manner recited in the present claims. Even if disassociation is shown, there is no formation of a new network as a result of such disassociation. For example, as a result of the disassociation, no initiation of a procedure for creating a new network, coexisting with the existing network, including a declaration of the terminal as access point of the new network is provided in Cromer. Further, Cromer fails to disclose or suggest that the operating parameters of the new network are such that communications on the new network do not interfere with the existing network.

It is therefore, respectfully submitted that Cromer fails to cure the deficiencies of Lipasti and that the suggested combination of Lipasti and/or Cromer, taken singly or together, fails to disclose or suggest at least initiation of a procedure for creating a new network, coexisting with the existing network, including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network. Thus, even if

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combined, the suggested combination fails to disclose or suggest each and every limitation of the pending claims.

Therefore, claims 1-5 are believed to be patentably distinguishable over the cited references for at least the stated reasons. Reconsideration of the rejection is earnestly solicited.

In view of the foregoing amendments and remarks, it is respectfully submitted that the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account No. 07-0832.

Respectfully submitted,

Dated: 1/22/09   By:

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